

Purpose

To provide guidance to department directors when there is reasonable suspicion of employee drug or alcohol use.

Scope

To provide a uniform policy in the administration of employee drug/alcohol testing for all disciplines.

Policy

There shall be a uniform procedure through which management may request employee drug/alcohol testing and actions to be taken when there is a positive result.

Procedure

- A. All Spring Grove Hospital Center employees are required to be able to carry out their assigned duties and not under the influence of controlled substances, alcohol, illegal drugs, or the intentional misuse of over the counter or prescription drugs while working their shift(s). All employees, regardless of their classification (sensitive or non-sensitive) or position are subject to drug/alcohol testing for reasonable suspicion. A list of sensitive classifications is attached. **During orientation, all employees sign the "Employee Acknowledgement of Instruction in Testing for Illegal Use of Drugs" Form MS-DT3 (See Personnel).**
- B. **Reasonable Suspicion Drug Testing**—If an employee's supervisor has a reasonable suspicion that the employee is under the influence while performing his/her job duties, the employee shall be referred for drug testing. Reasonable suspicion exists when the actions, appearance, conduct, or erratic behavior of an employee interfere with the ability to carry out the employee's duties as defined in his/her job description. Physical indicators for reasonable suspicion may include unsteady gait, slurred speech, slowed reaction time, impaired short term memory, distorted perception, inflammation in whites of eyes/dilated pupils, severe shifts in mood, lethargy, sleepiness, "spacing out", and the like. Performance indicators for reasonable suspicion may include difficulty remembering to follow through on tasks, a high accident rate at work or errors in judgment, and the inability to perform routine tasks, among others. Behavioral indicators of reasonable suspicion may include a change in personality, hostility, difficulty getting along with co-workers, trouble with the law, repeatedly requesting advances, and insisting that no problem exists. Although there may be a medical condition(s) causing the above indicators, when there is reasonable suspicion, management personnel must follow through by referring the employee for drug/alcohol testing.
- C. **Reasonable Suspicion During Normal Business Hours** (Generally 8 am to 4 pm, Monday through Friday): If the supervisor has reasonable suspicion of employee drug use, the supervisor should first contact the Appointing Authority in Human Resources to include the Director of Personnel, the Agency Technical Representative (ATR), or the Personnel Specialist/Officer for drug testing. If none of these individuals are available, the Assistant Superintendent or Superintendent should be contacted to review the situation. The supervisor should state why he/she believes the employee is under the influence. For testing to proceed, the Appointing Authority must believe that if the employee is tested, he/she will test positive. If that is the case, the supervisor will direct the employee to go to the Personnel Office to meet with the Agency Technical Representative (ATR) or the designee. The Security Department will be notified, as necessary, and an officer will escort the employee to Personnel. The ATR or designee will interview the employee with the security officer present and if they concur with the supervisor's reasonable suspicion, the employee will be drug tested. While the supervisor does not need to do any paperwork, there are forms that must be completed by the ATR or designee which will accompany the employee to testing. See Item D below.
- D. The ATR/designee will contact White Glove Drug & Alcohol Testing, Inc. 537 Ritchie Highway, #2G, Severna Park, MD 21146. The primary telephone number is 410-458-8276. The primary contact is Helen White,

President. The ATR or designee will complete the paperwork for the appropriate drug test. **The employee will sign the "Authorization Form for Release of Records and Information" and the "Controlled Dangerous Substance Test Order" Form MD-DT4 (See Personnel). The ATR will complete the "Drug Testing Agency Request Form,"** for submission to the drug testing contractor. The employee must be briefed regarding the reason for the drug test and sign the DT3 "Employee Acknowledgement of Instruction in Testing for Illegal Use of Drugs." Original copies of all forms will remain with the ATR and separate copies will be given to the employee and the drug testing contractor. If the employee refuses to be drug tested and is in a sensitive classification, this refusal will be considered a positive test result and the employee will be terminated. If the employee refuses to be tested and is in a non-sensitive classification, progressive disciplinary action will be taken. The employee will be suspended without pay for 15 days and required to enroll in a drug abuse rehabilitation program of at least 6 months duration. During the 6 month program and for one year thereafter, the employee may be periodically drug tested. The suspected employee should not be allowed to drive himself/herself home or take public transportation. He/she should make every effort to have a family member or friend take him/her home. As a last resort, the SGHC Security Department may escort the employee home. While waiting for the test results, the employee may not be permitted to return to work and may be placed on paid administrative leave. The employee may be placed on restricted duty if permitted to work until receipt of test results.

- E. If the employee is tested and the test results come back positive, a conference will be scheduled with that individual to gather pertinent information, to advise him/her of their appeal rights, and to discuss the appropriate disciplinary action. If the employee is in a sensitive classification, termination procedures would be initiated. If the employee is in a non-sensitive job

classification, and has a positive test result, the employee will be suspended for 15 day(s) without pay and required to enroll in a drug rehabilitation program of at least 6 months duration as a condition of continued employment. During the 6 month program and for one year thereafter, the employee may be periodically drug tested. A second offense for an employee in a non-sensitive position will result in termination. Refusal to test will be considered a positive test result and follow the progressive discipline for the second offense, resulting in termination.

- F. **Reasonable Suspicion During Off Hours:** (Generally 4 pm to 8am, Monday through Friday and weekends and holidays): If the supervisor has reasonable suspicion that the employee is unable to perform their duties due to some impairment, the supervisor should contact the Central Nursing Office. The CNO supervisor will contact the Appointing Authority or ATR in Personnel Services through the hospital operator or as outlined in Item C above and if unavailable, the Assistant Superintendent or Superintendent. In order for testing to proceed, the Appointing Authority or designee must believe that if the employee is tested, that individual will test positive. The supervisor will advise the employee to go to the CNO and will request that a security officer escort the employee to the CNO. The evening/night/week-end supervisor will interview the employee in the presence of the security officer. If they concur with the supervisor's reasonable suspicion, the employee will be drug tested as soon as possible. The evening/night/week-end supervisor will call White Glove Drug & Alcohol Testing, Inc. on 24/7 emergency collections number at 410-458-8276 to make arrangements for on-site testing. The CNO supervisor will complete the forms specified in Item D to accompany the employee for drug testing by White Glove Drug & Alcohol Testing, Inc. It is the employee's responsibility to make his/her own arrangements to return home following testing. The security officer will assure that under no circumstances will the employee be permitted to drive their own vehicle home or take public transportation. As a last

resort, SGHC security will escort the employee home.

- G. **Random Drug Testing:** Only employees in sensitive job classifications are subject to random drug testing. Random drug testing is done quarterly, on-site. Failure to appear when assigned will be treated as a positive test result and the employee will be given a 15 day suspension without pay and referral to the Employee Assistance Program for a drug rehabilitation program of at least 6 months duration. A positive test result will result in a 15 day suspension without pay. As a condition of returning to work, the employee must have completed the application to enroll in an Employee Assistance Program (EAP) and must be enrolled in a drug abuse rehabilitation program of at least 6 months duration. The employee shall be subject to periodic testing throughout the duration of the program and for one year thereafter. At the conclusion of the rehabilitation program the employee must submit documentation from the attending physician or member of the drug rehab program staff certifying, under oath, that the employee has participated in the program and has not tested positive at any time during the program. If the employee does not complete the EAP application and has not enrolled in a drug rehab program during the 15 day suspension period or fails to successfully complete the program, the employee will be terminated. A second positive test result during random drug testing at any time during State employment will result in termination.

H. **For Sensitive Classification Employees Only:**

- 1) **Incident Triggering Factor:** This condition exists when an injury to the employee or another person or property damage may have been caused by human error, and the employee was directly involved in the accident or incident. If an incident triggers reasonable suspicion, the employee must be sent out for testing. Failure to appear for testing, or receipt of a positive result, will result in employee termination. Note:

COMAR does not address incident triggering reasonable suspicion for non-sensitive employees. Any incident for this employee classification would be covered under "reasonable suspicion testing."

- 2) **Participation in Drug Abuse Rehabilitation Program—**This condition exists when an employee has notified the employee's Appointing Authority that the employee is voluntarily participating in any drug abuse rehabilitation program. The employee's Appointing Authority may arrange for testing of the employee at any time during the employee's participation in the rehab program, and for one year immediately following the employee's successful completion of the rehab program.
- 3) **Arrest for a Controlled Dangerous Substance Offense—**This condition exists when an employee has notified the employee's Appointing Authority that the employee has been arrested for a controlled dangerous substance offense.

- I. **Notification of Legal Action (For Sensitive & Non-Sensitive Classification Employee):** Employees charged with a controlled dangerous substance offense must report a finding of guilty, an acceptance of a plea of nolo contendere, or a probation before judgment (PBJ) to the Appointing Authority within 5 work days of the decision. Supervisors knowledgeable of such action are responsible for notifying the Personnel Department. Failure to notify will result in progressive disciplinary action for the employee as well as the supervisor, if the supervisor knew of the offense and did not report it to Personnel .
- J. **Applicant Testing:** Only applicants hired in sensitive positions are drug tested. The Personnel Associate will send a commitment letter confirming the employment offer and identifying the date for the employee physical. It is the applicant's responsibility

to be drug tested by White Glove Drug & Alcohol Testing Inc. immediately following his/her physical. **On the day of the physical, the ATR or designee will brief the applicant on the drug testing policy and will have the applicant sign the Employee Acknowledgement of Instruction In Testing For Illegal Use Of Drugs, "Drug Abuse Screen—Applicant Authorization 7 Panel Drug Screen" Form MS-DT2 and the Authorization Form for Release of Records and Information (See Personnel).** Failure to appear for the test, complete the test, cooperate in any way, or a positive test may result in the employment offer being withdrawn, disciplinary action and/or termination from employment.

- K. **Applicant Rights:** Employees and applicant-employees have the right to appeal any discipline imposed as a result of a substance abuse violation. The ATR or designee will advise the applicant, of the positive test result and the procedure for appealing, in writing, to the Secretary of Budget and Management within 5 working days from receipt of the test result confirmation. The burden of proof is on the applicant to demonstrate any irregularity in the testing procedures.
- L. **Drug Convictions:** Sensitive position employees with drug convictions are immediately terminated. Non-sensitive position employees with drug convictions are given a 5 day suspension and mandatory referral to EAP on their first offense, a 15 day suspension on their second offense, and are terminated on their third offense. However, if the employee in a non-sensitive position used or possessed illegal drugs at the workplace, the first offense will result in a 15 day suspension and EAP referral. The second offense will result in termination.
- M. **Reasonable Suspicion Of Alcohol Use At The Workplace:** From 7 am Monday to Noon on Saturday, if the supervisor believes the employee is under the influence of alcohol while on duty, she/he should follow the same steps outlined in Item C above. The employee should be tested. Testing for breath alcohol level is done through the Concentra Medical Center, not White Glove

Drug & Alcohol Testing Inc. The closest Concentra Center to SGHC is 1419 Knecht Avenue, Arbutus, MD 21277. Phone number: 410-247-9595. The CNO supervisor should call this number and make arrangements for testing when the SGHC Personnel office is not in operation. Normal hours of operation for Concentra are 24/7 except major holidays. However, alcohol testing is available 24/7. When Concentra Medical Center is not in operation, please call National Diagnostics Inc. at 1-800-814-7678 to arrange an alcohol test. During the phone call, please identify yourself as a State of Maryland facility. National Diagnostics will then make contact with a provider to arrange an on-site testing through a mobile unit. For Concentra testing the ATR/ designee or CNO supervisor (off hours) will complete the **Concentra form "Employer's Authorization for Examination or Treatment,"** checking off the section "Substance Abuse Testing, non-regulated, alcohol. The employee must also sign the **"Authorization Form for Release of Records and Information."** A security officer will escort the employee to Concentra. A refusal to test alcohol level will be treated as a positive test result.

- 1) For sensitive position employees with 1st incident of being under the influence of alcohol at the workplace
 - a. 15-day suspension
 - b. must successfully participate in an EAP alcohol treatment program
- 2) For sensitive position employees with 2nd incident of being under the influence of alcohol at the workplace, termination.
- 3) For non-sensitive position employees with 1st incident of being under the influence of alcohol at the workplace
 - a. reprimand
 - b. mandatory EAP referral

- 4) For non-sensitive position employees with 2nd incident of being under the influence of alcohol at the workplace
 - a. 5-day suspension
 - b. mandatory EAP referral
- 5) For non-sensitive position employees with 3rd incident of being under the influence of alcohol at the workplace, termination.

management who have a need to know, have a right to access test results.

References

DBM Sensitive Classifications List

Employee Acknowledgment of Instruction In Testing for Illegal Use of Drugs (Form MS- DT3)
Revised: 1/22/08

Authorization Form for Release of Records and Information: Revised 2/13

Controlled Dangerous Substance Test Order (Form MS- DT4) Revised: 2/13

Drug Abuse Screen-Applicant Authorization 7-Panel Drug Screen (Form MS- DT2) Revised: 2/13

Employer's Authorization for Examination or Treatment from Concentra Medical Centers

White Glove Drug & Alcohol Testing, Inc., State of Maryland Collection Request Form; Issued: 12/10/12

White Glove Drug & Alcohol Testing, Inc. Contacts & Scheduling Information, Issued: 12/10/12

N. **Alcohol Convictions Off the Job for Sensitive Position Employees and Alcohol Convictions for Non-Sensitive Position Employees:**

If a sensitive employee is convicted of an off-the-workplace alcohol driving offense (including PBJ, nolo contendere), or if a non-sensitive employee is convicted of any alcohol driving offense, the employee shall:

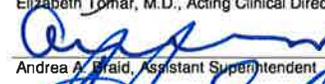
- 1) On the first conviction, receive a reprimand and be referred to an Employee Assistance Program; (mandatory) and be required to participate successfully in a treatment program.
- 2) On the second conviction, be suspended for at least 5 days, be referred to an Employee Assistance Program (mandatory), and be required to participate successfully in a treatment program; and
- 3) On the third conviction be terminated.

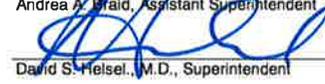
Employees charged with an alcohol driving offense must report a finding of guilty, an acceptance of a plea of nolo contendere, or a probation before judgment to the Appointing Authority within 5 work days. A supervisor aware of such charges must notify Human Resources, the ATR, or Appointing Authority. Failure to notify may result in progressive disciplinary action for the employee as well as the supervisor.

- O. **Documentation** of reasonable suspicion and testing results will be placed in the employee's personnel file. All test results and information relating to testing must be handled as confidential. Only members of

Approved by


Elizabeth Tornar, M.D., Acting Clinical Director


Andrea A. Braid, Assistant Superintendent


David S. Helsel, M.D., Superintendent

Date 10/13/14

DSH/tg

Typed: 9/1/06

Revised: 2/15/07, 8/20/07, 2/7/08, 4/2/08, 5/12/11, 2/14/12, 12/3/12, 7/8/14
Revised: 10/2/14

WHITE GLOVE DRUG & ALCOHOL TESTING, INC.
STATE OF MARYLAND COLLECTION REQUEST FORM

Office: 410-458-8276
Email: scheduling@whiteglovetesting.com
Fax: 410-544-2111

Agency Name: _____ **Agency Code:** _____

Collection Site: _____ **Site Code:** _____

Collection Site Address: _____

Preferred Date/Time (if any): _____

Preferred Day (if any):

_____ **Monday** _____ **Tuesday** _____ **Wednesday** _____ **Thursday** _____ **Friday**

_____ **First Available Date**

ATR: _____ **TELEPHONE:** _____

EMAIL: _____ **FAX:** _____

ATR's SIGNATURE: _____

Number of Employees (estimated): _____ **1-3** _____ **4-9** _____ **10+**

Block Time: _____ **4 hours** _____ **8 hours** _____ **DPSCS (additional 30 minutes possible)**

_____ **Other**

Onsite testing is **CONFIRMED** as scheduled for the agency and collection site indicated above on:

Date: _____ **Time:** _____

Signature: _____

WHITE GLOVE DRUG & ALCOHOL TESTING, INC.

CONTACTS & SCHEDULING INFORMATION

**537 Ritchie Highway #2G
Severna Park, MD 21146**

OFFICE: 410-458-8276

FAX: 410-544-2111

Helen White, C-SAPA (President & CEO)

Email: helen@whiteglovetesting.com

Cell: 410-991-1266

Home: 410-544-2350

Diana Voigt, Administrative Assistant

Email: diana@whiteglovetesting.com

SCHEDULING

For 24/7 Emergency Collections, please call 410-458-8276

For Regular Collections, you can schedule on-site drug testing by completing the State of Maryland Collection Request form and emailing or faxing it as follows:

EMAIL: scheduling@whiteglovetesting.com

FAX: 410-544-2111

White Glove will take scheduling requests as far in advance as you would like to schedule.

11/26/2012



**24-HOUR
TEST COORDINATION**

HOTLINE:

1-800-841-POST

(1-800-841-7678)

If you get NDI's Voice Mail, PRESS 2
You will be transferred to the POST ACCIDENT Voice Mail

Leave your Name and Phone Number
The coordinator will call you back within 15 minutes

When you speak with the coordinator, you must mention
that you are calling from a Maryland State Agency

National Diagnostics, Inc. • 6407 Idlewild Road • Charlotte, NC 28212 • 800-272-3350